



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1487

Introduced 2/18/2009, by Sen. Deanna Demuzio

#### SYNOPSIS AS INTRODUCED:

225 ILCS 95/7

from Ch. 111, par. 4607

Amends the Physician Assistant Practice Act of 1987. Provides less stringent supervision requirements for physician assistants responding to a need for medical care created by an emergency or by a state or local disaster. Limits civil liability for physician assistants that voluntarily render emergency medical assistance outside the ordinary course of their employment or practice, except for acts or omissions constituting gross, willful, or wanton negligence. Provides that no physician who supervises a physician assistant voluntarily and gratuitously providing emergency care as described shall be liable for civil damages for any personal injuries which result from acts or omissions by the physician assistant rendering emergency care. Effective immediately.

LRB096 07711 ASK 17812 b

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Physician Assistant Practice Act of 1987 is  
5 amended by changing Section 7 as follows:

6 (225 ILCS 95/7) (from Ch. 111, par. 4607)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 7. Supervision requirements.

9 (a) No more than 2 physician assistants shall be supervised  
10 by the supervising physician, although a physician assistant  
11 shall be able to hold more than one professional position. Each  
12 supervising physician shall file a notice of supervision of  
13 such physician assistant according to the rules of the  
14 Department. However, the alternate supervising physician may  
15 supervise more than 2 physician assistants when the supervising  
16 physician is unable to provide such supervision consistent with  
17 the definition of alternate physician in Section 4. It is the  
18 responsibility of the supervising physician to maintain  
19 documentation each time he or she has designated an alternative  
20 supervising physician. This documentation shall include the  
21 date alternate supervisory control began, the date alternate  
22 supervisory control ended, and any other changes. A supervising  
23 physician shall provide a copy of this documentation to the

1 Department, upon request.

2 Physician assistants shall be supervised only by  
3 physicians as defined in this Act who are engaged in clinical  
4 practice, or in clinical practice in public health or other  
5 community health facilities.

6 Nothing in this Act shall be construed to limit the  
7 delegation of tasks or duties by a physician to a nurse or  
8 other appropriately trained personnel.

9 Nothing in this Act shall be construed to prohibit the  
10 employment of physician assistants by a hospital, nursing home  
11 or other health care facility where such physician assistants  
12 function under the supervision of a supervising physician.

13 Physician assistants may be employed by the Department of  
14 Corrections or the Department of Human Services (as successor  
15 to the Department of Mental Health and Developmental  
16 Disabilities) for service in facilities maintained by such  
17 Departments and affiliated training facilities in programs  
18 conducted under the authority of the Director of Corrections or  
19 the Secretary of Human Services. Each physician assistant  
20 employed by the Department of Corrections or the Department of  
21 Human Services (as successor to the Department of Mental Health  
22 and Developmental Disabilities) shall be under the supervision  
23 of a physician engaged in clinical practice and direct patient  
24 care. Duties of each physician assistant employed by such  
25 Departments are limited to those within the scope of practice  
26 of the supervising physician who is fully responsible for all

1 physician assistant activities.

2 A physician assistant may be employed by a practice group  
3 or other entity employing multiple physicians at one or more  
4 locations. In that case, one of the physicians practicing at a  
5 location shall be designated the supervising physician. The  
6 other physicians with that practice group or other entity who  
7 practice in the same general type of practice or specialty as  
8 the supervising physician may supervise the physician  
9 assistant with respect to their patients without being deemed  
10 alternate supervising physicians for the purpose of this Act.

11 (b) A physician assistant licensed in this State, or  
12 licensed or authorized to practice in any other U.S.  
13 jurisdiction or credentialed by his or her federal employer as  
14 a physician assistant, who is responding to a need for medical  
15 care created by an emergency or by a state or local disaster  
16 may render such care that the physician assistant is able to  
17 provide without supervision as it is defined in this Section or  
18 with such supervision as is available. For purposes of this  
19 Section, an "emergency situation" shall not include one that  
20 occurs in the place of one's employment.

21 Any physician who supervises a physician assistant  
22 providing medical care in response to such an emergency or  
23 state or local disaster shall not be required to meet the  
24 requirements set forth in this Section for a supervising  
25 physician.

26 (c) No physician assistant licensed in this State or

1 licensed or authorized to practice in any other jurisdiction of  
2 the United States who voluntarily and gratuitously, and other  
3 than in the ordinary course of employment or practice, renders  
4 emergency medical assistance shall be liable for civil damages  
5 for any personal injury that results from an act or omission by  
6 the physician assistant in rendering emergency care which may  
7 constitute ordinary negligence. The immunity granted by this  
8 Section does not apply to acts or omissions constituting gross,  
9 willful, or wanton negligence or when the medical assistance is  
10 rendered at any hospital, physician's office, or other health  
11 care delivery entity where those services are normally  
12 rendered. No physician who supervises a physician assistant  
13 voluntarily and gratuitously providing emergency care as  
14 described in this Section shall be liable for civil damages for  
15 any personal injuries which result from acts or omissions by  
16 the physician assistant rendering emergency care.

17 (Source: P.A. 95-703, eff. 12-31-07.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.